

~~a regional mobility plan in order for a local authority to receive an allocation from the fund]. The commission may issue obligations to refund:~~

- ~~(1) outstanding obligations to provide savings to the state; and~~
- ~~(2) outstanding variable rate obligations and may renew or replace credit agreements relating to the variable rate obligations.~~

SECTION 2. Section 201.946(d), Transportation Code, is amended to read as follows:

(d) To the extent money is on deposit in the fund in amounts that are in excess of the money required by the proceedings authorizing the obligations and credit agreements to be retained on deposit, the commission may use the money for any purpose for which obligations may be issued under this subchapter, *other than for toll roads*.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 9, 2015: Yeas 128, Nays 0, 2 present, not voting; passed by the Senate on May 19, 2015: Yeas 30, Nays 1.

Approved June 10, 2015.

Effective June 10, 2015.

STORAGE OF FLAMMABLE LIQUIDS AT RETAIL SERVICE STATIONS IN UNINCORPORATED AREAS AND CERTAIN MUNICIPALITIES

CHAPTER 388

H.B. No. 239

AN ACT

relating to storage of flammable liquids at retail service stations in unincorporated areas and certain municipalities.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 753.004, Health and Safety Code, is amended by amending Subsections (d) and (e) and adding Subsection (d-1) to read as follows:

(d) *Except as provided by Subsection (d-1), gasoline* ~~[Gasoline]~~, diesel fuel, or kerosene may be stored in an aboveground storage tank ~~[with a capacity of not more than 4,000 gallons]~~ at a retail service station located in an unincorporated area or in a municipality with a population of less than 5,000.

(d-1) A commissioners court of a county with a population of 3.3 million or more may by order limit the maximum volume of an aboveground storage tank in an unincorporated area of the county in accordance with the county fire code.

(e) Under Subsection (d), a retail service station may have a tank ~~[not exceeding the specified capacity]~~ for each separate grade of gasoline, diesel fuel, or kerosene, but may not have more than one tank ~~[of that capacity]~~ for the same grade.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 5, 2015: Yeas 142, Nays 3, 2 present, not voting; passed by the Senate on May 20, 2015: Yeas 31, Nays 0.

Approved June 10, 2015.

Effective June 10, 2015.